

### REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims 6-8, 10, 11, 22-27 and 29-37 are presented for consideration. Claims 6, 22, 29, 31 and 33 are independent. Claims 1, 2, 5, 15, 18-21 and 28 have been canceled without prejudice or disclaimer. Claims 33-37 have been added to recite additional features of the subject invention. Support for these claims can be found in the original application, as filed. Therefore, no new matter has been added by these changes.

Applicant notes with appreciation that claims 6-8, 10, 11, 22-27 and 29-32 have been allowed over the art of record. In addition to these claims being allowable, Applicant submits that claims 33-37 patentably define features of the scan type exposure apparatus of the present invention. Specifically, claims 33-37 have been patterned after allowed claims 6-8, 10 and 11, respectively, with the exception that claim 33 does not require the photodetector to be located at a position optically conjugate with the original. Applicant notes that other claims, allowed by the Examiner, do not require this feature. Accordingly, claims 33-37 likewise should be deemed allowable.

Applicant requests favorable reconsideration and withdrawal of the rejection set forth in the above-noted Office Action.

Claims 1, 2, 5, 15, 18-21 and 28 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,591,958 to Nishi et al. Applicant submits that this patent does not teach many features of the present invention as previously recited in these claims. Therefore, this

rejection is respectfully traversed. Nevertheless, to expedite allowance of this application, these claims have been canceled without prejudice or disclaimer. Therefore, this rejection has become moot and should be withdrawn.


In summary, claims 6-8, 10, 11, 22-27 and 29-32 were indicated as being allowable by the Examiner, and Applicant submits that claims 33-37 should be deemed allowable for being patterned after allowed claims 6-8, 10 and 11, respectively.

Applicant submits, therefore, that this Amendment After Final Rejection clearly places this application in condition for allowance. This Amendment was not earlier presented because Applicant believed that the prior Amendment placed the application in condition for allowance. Accordingly, entry of the instant Amendment, as an earnest attempt to advance prosecution and reduce the number of issues, is requested under 37 CFR 1.116.

Favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action and an early Notice of Allowance are also requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

  
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